

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

Criminal No. 2:22-cr-125

LARRY J. GOISSE, JR.

INFORMATION MEMORANDUM

AND NOW comes the United States of America, by its attorneys, Cindy K. Chung, United States Attorney for the Western District of Pennsylvania, and Robert S. Cessar, Assistant United States Attorneys for said District, and submits this Information Memorandum to the Court:

I. THE INFORMATION

A five-count Information was filed against the above-named defendant for alleged violations of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
1-5	Health Care Fraud	18 U.S.C. §§ 1347 and 2
	September 18, 2018 (Count 1)	
	September 22, 2018 (Count 2)	
	September 26, 2018 (Count 3)	
	September 29, 2018 (Count 4)	
	October 8, 2018 (Count 5)	

II. ELEMENTS OF THE OFFENSES

A. As to Counts 1-5:

In order for the crime of health care fraud, in violation of Title 18, United States Code, Section 1347, to be established, the government must prove all of the following essential elements beyond a reasonable doubt:

1. That the defendant knowingly devised or participated in a scheme to defraud Medicare to obtain by means of false or fraudulent pretenses, representations, or promises, any of

the money or property owned by, or under the custody or control of Medicare in connection with the delivery of or payment for health care benefits, items, or services;

2. That the defendant acted with the intent to defraud; and
3. That Medicare was a public plan or contract, affecting commerce, under which medical benefits, items, or services were provided to any individual who was providing a medical benefit, item, or service for which payment may be made under a (private) plan or contract, affecting commerce, under which medical benefits, items, or services were provided to any individual.

Third Circuit Model Criminal Jury Instruction 6.18.1347

III. PENALTIES

A. As to Counts 1-5: Health Care Fraud, in violation of 18 U.S.C. §§ 1347 and 2:

1. (a) A term of imprisonment of not more than ten (10) years;
(b) If the violation results in serious bodily injury as defined in Title 18, United States Code, Section 1365, a term of imprisonment of not more than twenty (20) years;
(c) If the violation results in death, a term of imprisonment for any term of years or for life;

2. A fine not more than the greater of \$250,000 or an alternative fine in an amount not more than the greater of twice the gross pecuniary gain to any person or twice the pecuniary loss to any person other than the defendant, unless the imposition of this fine would unduly complicate or prolong the sentencing process; and

3. A term of supervised release of not more than three (3) years.

IV. MANDATORY SPECIAL ASSESSMENT

A mandatory special assessment of \$100.00 must be imposed at each count upon which the defendant is convicted, pursuant to 18 U.S.C. § 3013.

V. RESTITUTION

Restitution may be required in this case as to Counts One through Five, together with any authorized penalty, as part of the defendant's sentence pursuant to 18 U.S.C. §§ 3663, 3663A, and 3664.

VI. FORFEITURE

Not applicable in this case.

Respectfully submitted,

CINDY K. CHUNG
United States Attorney



ROBERT S. CESSAR
Assistant U.S. Attorney
PA ID No. 47736